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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,422	02/21/2001	Lawrence Wilcock	30003000US	5849

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EXAMINER

LE, BRIAN Q

ART UNIT PAPER NUMBER

2624

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/788,422

Applicant(s)

WILCOCK ET AL.

Examiner

Brian Q. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03/31/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **Response to Amendment and Arguments**

1. Applicant's amendment filed March 31, 2006, has been entered and made of record.
2. Applicant's arguments, see "Remarks", filed March 31, 2006, with respect to the rejection(s) of claim(s) 1-5, 7-8 and 11 under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 5,606,627 to Kuo have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Stuetzler U.S. Patent No. 6,133,945.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-5, 7-8, and 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuo U.S. Patent No. 5,606,627 and Stuetzler U.S. Patent No. 6,133,945.

Regarding claim 1, Kuo teaches a method comprising:

Recording, in association with taking a first image recording with a camera, first data indicative of a geographic location of said camera (column 4, lines 60-67);

Recording (Recording data) (column 5, lines 9-17), in response to activation of said camera (column 1, lines 55-67), and separately from taking an image recording using said camera, second data indicative of a geographic location of said camera (column 4, lines 60-67) (Kuo discloses of two camera stations. Thus, first data indicative (first camera parameters) from GPS would disclose first camera location (space coordinate of first camera) and second data

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indicative (second camera parameters) from GPS would also disclose second camera location (space coordinate of first camera)) (column 7, lines 30-48); and

retrieving, from a resource separate from said camera, a second image recording concerning said geographic location indicated by said second data (the process of retrieving camera parameters such as location of camera to the computer memory) (column 4, lines 60-67). Kuo does not explicitly teach that a device other than a camera can take a second image recording. Stuetzler further teaches a method in the same field of invention (stereoscopic images processing) (abstract) wherein different image recordings can be taken not only by cameras but also by other devices such as video recorder (column 5, lines 5-11). Modifying Kuo's method processing stereoscopic image processing according to Stuetzler would be able to provide a flexibility to enable different image input devices to record images (column 5, lines 5-11). This would clearly allow the capability of wherein said second image recording will be taken by a device other than said camera. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Kuo according to Stuetzler.

For claim 2, Kuo teaches a camera wherein said first data is recorded in a recording arrangement that is separate from said camera (data saved from the camera) (FIG. 1B).

Regarding claim 3, Kuo further teaches a method wherein said first data and said second data are recorded in a same sequence of data items (both data from the left camera and the right camera were saved the same way) (FIG. 1B).

Referring to claim 4, Kuo also teaches a method wherein said first data is recorded in said camera (image captured by the camera) (FIG. 1B, element 20).

For claim 5, Kuo shows a method wherein said first data and said second data re recording in a same sequence of data items (both data from the left camera and the right camera were saved the same way).

Regarding claim 7, Kuo teaches a method wherein said retrieving comprises displaying a map of an area (photographic with space coordinate) around said geographic location indicated by said second data and obtaining an input detailing a target subject, zone or point and using said input to facilitate said retrieving (column 10, lines 39-67).

For claim 8, Kuo further teaches a method wherein subsequent to said taking of said set of image recordings, a map display shows locations where image recordings of said set were taken, wherein prior to said retrieving, an item is represented on said map display, and wherein said item corresponds to said geographic location indicated by said second data (column 10, lines 39-67).

For claim 11, please refer back to claim 1 for further teachings and explanations.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuo U.S. Patent No. 5,606,627 and Stuetzler U.S. Patent No. 6,133,945, as applied to claim 1 above, and further in view of Kuba U.S. Patent No. 5,806,072.

Regarding claim 6, Kuo does not explicitly teach a method wherein said retrieving comprises retrieving multiple image recordings displaying said multiple image recordings and enabling a user to choose at least one of said multiple image recordings for retention and association with said set of image recordings. Kuba teaches a method of augmenting a set of image (image management) recordings (abstract) method wherein said retrieving comprises retrieving multiple image recordings displaying said multiple image recordings and enabling a

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user to choose at least one of said multiple image recordings for retention and association with said set of image recordings (column 28, lines 53-67). Modifying Kuo's method of augmenting a set of image recordings according to Kuba would allow the user to have the capability to manage image file/data more efficient. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Kuo according to Kuba.

6. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kuo U.S. Patent No. 5,606,627 and Stuetzler U.S. Patent No. 6,133,945, as applied to claim 8 above, and further in view of Bacus U.S. Patent No. 6,272,235.

Regarding claim 9, Kuo does not explicitly teach the concept wherein when said map display is present, retrieval of an image recording corresponding to said item is initiated by clicking on a displayed graphic element associated with a displayed location corresponding to said item. Bacus teaches a concept of managing images wherein the image item (map) can be initiated by click of the mouse clicking on a displayed graphic element (column 9, lines 15-30). Modifying Kuo's method of managing electronic imaging according to Bacus would be able to allow user to use the mouse or other point devices to execute images (view or enlarge) quickly. This would improve processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Kuo according to Bacus.

For claim 10, Kuo also does not teach the concept of using the Internet service system to provide image recordings to registered users on the basis of location data supplied in a service request. Bacus further teaches this limitation (FIG. 1, FIG. 17, and FIG. 18). Modifying Kuo's method of managing electronic imaging according to Bacus would be able to allow user to access the image storage by Internet from various locations around the world. This would improve

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processing and therefore, it would have been obvious to one of the ordinary skill in the art to modify Kuo according to Bacus.

***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

  
JINGGEWU  
PRIMARY EXAMINER

***Contact Information***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Q. Le whose telephone number is 571-272-7424. The examiner can normally be reached on 8:30 A.M - 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on 571-272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BL  
April 18, 2006